

NOTICE OF PROPOSED RULE ADOPTION



STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF CHILD SUPPORT ENFORCEMENT

MISSISSIPPI
SECRETARY OF STATE
Mississippi Department of Human Services
Division of Child Support Enforcement
Walley R. Naylor, Director
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Jackson, Mississippi 39205
601-359-4105
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Specific Legal Authority authorizing the promulgation of
Rule: Mississippi Code of 1972.
As amended, Section 43-19-31

Reference to Rules repealed, amended or suspended by the
Proposed Rule:
Title 18, Part XIX, Chapter 3

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: On April 20, 2005, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) was signed by President Bush, and became Public Law 109-8. The BAPCPA made substantial changes to the Bankruptcy Code that impact child support enforcement case processing. The attached revised policy reflects these changes and is retroactive to October 17, 2005.

This rule is proposed as a ☐ Final Rule, and/or a ☒ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Proposed Effective Date of Rule: April 1, 2006
(Retroactive to October 17, 2005)

Date Rule Proposed: April 19, 2006

Walley R. Naylor, Director
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001
Effective Date 07/29/2005